THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P. No. 18552 of 2006

Date: 25.09.2006

Between:

P. Karuna and three others.

…. Petitioners

and

The District Level Committee for Transfer of Teachers, rep., by its Chairman, Zilla Parishad, Kakinada, East Godavari District and anther.

….Respondents.

THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P. No. 18552 of 2006

ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

Aggrieved by the order in M.A. No. 3888 of 2005 in O.A. No. 7376 of 2005 dated 02.02.2006 wherein the petitioner-applicant had sought for a direction that he be retained and continued at his present place of posting, and that the order of transfer not been given effect to, and the Tribunal had held that the M.A. itself was not maintainable and had dismissed the M.A., the present writ petition is filed.

O.A. No. 7376 of 2005 was filed questioning the orders of transfer. On the ground that the status quo order passed therein on 14.11.2005 had not been given effect to, the impugned M.A. was filed. The Tribunal rightly held that the M.A, as filed, was not maintainable, and had directed that the O.A. itself be posted for hearing in the next week as counter affidavit had already been filed.

Sri A.K. Kishore Reddy, Learned Counsel for the petitioner, would submit that despite such a direction by the Tribunal on 02.02.2006 the O.A. has not yet been listed for hearing. Needless to state that it is always open to the petitioner herein to file an application seeking an out of turn hearing of the O.A. We see no reason to interfere with the order passed by the Tribunal.

The writ petition is dismissed. However, in the circumstances, without costs.

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B.PRAKASH RAO, J

Date: 25 .09.2006

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RAMESH RANGANATHAN, J

MRKR